

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

19-678 BKS MJK

-----X
TANAJEE MADDOX,

Plaintiff,

Plaintiff's Proposed
SPECIAL VERDICT SHEET

-against-

POLICE OFFICER KELSEY FRANCEMONE

Defendant
-----X

Part I.

Liability

Question 1 – Use of Excessive/Deadly Force

1(A)(1) Has plaintiff proven by a preponderance of the evidence that Police Officer Kelsey Francemone used excessive/deadly force against Plaintiff's decedent on June 19, 2016?

Yes _____ No _____

If your answer is "No," then your deliberations are finished.

1(A)(2) If you have found that Police Officer Kelsey Francemone has violated plaintiff's decedent's constitutional rights, but that Ms. Maddox has not established that Police Officer Kelsey Francemone proximately caused injuries, you must award Ms. Maddox nominal damages, not to exceed one dollar

Do you find that Plaintiff has established she is entitled to compensatory damages over the amount of \$1.00 answer yes, if not answer no

Yes _____ No _____

Proceed to Question 2.

Proceed to Part II only if you have answered "YES" to questions 1(A1) or 1(A2)

Part II.

Damages

Question 3

What sum of money would justly and adequately compensate Plaintiff for the injuries suffered suffered as a consequence of Police Officer Francemone's constitutional violations?

Physical pain and suffering \$ _____

Emotional pain and suffering \$ _____

Loss of Guidance for Porter's Children \$ _____

Loss of Enjoyment of Life for the Decedent \$ _____
Expenses Incurred as a Result of Plaintiff's Decedent's Death \$ _____

Proceed to Question 4.

Question 4 Liability for Punitive Damages

Answer Question 4(A) only if you answer "YES" to Questions 1(A)(1) or 1(A)(2). If your answer to these questions was "No," then ignore this question.

A. Has plaintiff proven by a preponderance of the evidence that Police Officer Kelsey Francemone, acted willfully, maliciously, wantonly or with reckless disregard for Gary Porter's constitutional rights?

Yes _____ No _____

If you answered No your deliberations are completed.

Question 5 Amount of Punitive Damages

Answer Question 5(A) only if you answer "YES" to Question 4(A).

A. State in a dollar amount the punitive damages, if any, that Tanajee Maddox is entitled to recover against Officer Francemone

\$ _____.

Your deliberations are now complete. Have the foreperson sign and date the special verdict form below, and notify the Deputy that you have reached a verdict.

SIGNED: _____

Foreperson

DATED: _____

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